



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue  
Seattle, Washington 98101

APR 05 2006

Reply To  
Attn Of: AWT-121

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Gary Dupuy  
Geomatrix, Inc.  
One Union Square  
600 University Street, Suite 1020  
Seattle, WA 98101-4107

Re: Comments regarding Pre-Demolition Investigation Report  
Administrative Order on Consent for Corrective Action ("Order")  
Under the Resource Conservation and Recovery Act ("RCRA")  
Docket No. 1091-11-20-3008(h)  
Rhone-Poulenc Inc. Marginal Way Facility  
WAD 00928 2302

Dear Mr. Dupuy:

The U.S. Environmental Protection Agency, Region 10 ("EPA") has completed its review of the Pre-Demolition Investigation Report for the former Rhone-Poulenc facility, dated February 1, 2006. This report was prepared following implementation of the Pre-Demolition Investigation Work Plan approved by EPA on November 21, 2005.

EPA has the following comments regarding the Pre-Demolition Investigation Report:

1. Page 5, first paragraph. Add the date of the second scale pit sediment sampling event (January 17, 2006), unless that sample was obtained from archived samples that were obtained on the original date of sampling (December 1, 2005).
2. Page 10, first paragraph. Please revise this paragraph to indicate that water is not consistently present in the lower Scale Pit. During at least one visit by EPA prior to implementation of the interim measure, the Scale Pit was found to be bare and dry, with crystalline materials rather than liquids present in the lower Scale Pit sump.
3. Pages 10 and 11, Section 3.2. The proposal to leave the crystalline materials and sediments within the scale pit in place without further testing is not well supported. Hazardous constituents were detected in these materials, but a TCLP analysis was not conducted. If this material is to be left in place, Respondents must demonstrate that this material does not designate as dangerous waste in accordance with applicable regulations. Alternatively, these materials could be removed by scraping or washing.

4. Page 12, first paragraph. Clarify whether the sample of sump sediment that was sent for TCLP analysis is the sample dated January 17, 2006. Also clarify whether this sample was obtained from archived samples from the December sampling event, or whether the Respondents returned to the Facility on January 17, 2006 to obtain additional samples. Note that Page 2 of the Data Quality Review (Appendix C) indicates that "the date of collection of this sample was 1/17/06."
5. Page 13, first paragraph. Delete the second and third sentences of this paragraph, as they draw conclusions regarding whether water and sediment present in the Copper Sump are dangerous waste. Add a new second sentence as follows: "The materials will be managed and disposed in accordance with all applicable regulations." The remaining sentences of this paragraph, stating that disposal must be completed in accordance with the Toxic Substances Control Act (TSCA) due to the presence of PCBs, may be retained.
6. Page 14, third paragraph. Delete all but the first and last sentences of this paragraph, as they draw conclusions regarding whether materials found in the I-120 sump are dangerous wastes. Add a new sentence as follows: "The materials will be managed and disposed in accordance with all applicable regulations." EPA recommends that you consult with the Washington State Department of Ecology regarding this paragraph's conclusion that the wastes do not designate as U220 because "the toluene could be present in the sump due to accumulation of intermediates in the vanillin manufacturing process."
7. Page 16. Delete the 3<sup>rd</sup> and 6<sup>th</sup> bullet items, as they draw conclusions regarding whether materials found at the Facility are dangerous wastes.
8. Page 17. Revise the 4<sup>th</sup> bullet item as follows: "The crystalline materials and sediments on the floor of the Scale Pit room will be tested to demonstrate that they do not designate as dangerous waste, or these materials will be removed and managed in accordance with all applicable regulations."
9. Page 17. Add a sixth bullet to Section 5.0, Recommendations, indicating that all potential waste items identified by PSC Industrial Services on Table 1 of Appendix D will be removed from the main building prior to demolition and managed in accordance with all applicable regulations.
10. Add a new section which states that an implementation report, documenting that the work recommended by this report has been completed, will be submitted to EPA. Provide a schedule for submission of this report. The report must document the removal of the liquids and sediments from the Scale Pit, the Copper Sump, and the I-120 Sump, as well as the items noted in PSC Industrial Services' report.

Pursuant to Section VII.A of the Order, the Pre-Demolition Investigation Report must be revised to fully address these comments. In accordance with Paragraph 7.3 of the Order, Respondents must submit a revised final Pre-Demolition Investigation Report including all revisions specified above to EPA within thirty (30) calendar days of receipt of this letter.

You may contact me at (206) 553-8506, or your legal counsel may contact Jennifer MacDonald at (206) 553-8311, if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Christy Brown". The script is cursive and fluid.

Christy Brown  
Project Manager  
Office of Air, Waste, and Toxics

cc: G. St. Amant, Muckleshoot Tribe  
B. Maeng, Ecology NWRO  
G. Baker, NOAA  
D. Blount, Landye Bennett Blumstein LLP  
R. Brown, Cascadia Law Group  
C. Blumenfeld, Perkins Coie  
P. Linskey, Rhodia Inc.  
G. Goodridge, Esq., Bayer CropScience



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Christy Brown  
Project Manager  
Office of Air, Waste, and Toxics

cc: G. St. Amant, Muckleshoot Tribe  
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D. Blount, Landye Bennett Blumstein LLP  
R. Brown, Cascadia Law Group  
C. Blumenfeld, Perkins Coie  
P. Linskey, Rhodia Inc.  
G. Goodridge, Esq., Bayer CropScience

**ACTION/ROUTING INSTRUCTIONS****1. AUTHOR**

File Location/Name:

*Christy Brown*  
*Rhone-Paulenc WA 2302***2. SECRETARY/ADMIN REVIEW:**

ORC		CONCURRENCES			
Name:	<i>Bold for MacDonald</i>				
Initials/Date:	<i>JB 4/4/06</i>				

**3. SIGNER:***Christy Brown***4. ADDRESSEE:***Gary DuPuy, Geomatrix*

CC(s): MS./MRS./MR.:

STREET:

CITY, STATE, ZIP:

E-MAIL ADDRESS:

*cast of thousands - usual list*  
*addresses in database*

MS./MRS./MR.:

STREET:

CITY, STATE, ZIP:

E-MAIL ADDRESS:

MS./MRS./MR.:

STREET:

CITY, STATE, ZIP:

E-MAIL ADDRESS:

BCC(s):

*MacDonald-ORC153*  
*Fuentes-OEA095*  
*Flint-ECL111*

DEADLINE FOR MAILING:

*4/4/06 if at all possible!*

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bcc: J. MacDonald, ORC-158  
 R. Fuentes, OEA-095  
 K. Flint, ECL-111

**CONCURRENCES:**

INITIALS S	<i>rab</i>	see below			POLICY FILE		RCRIS INFO SUBMITTED	
NAME	BROWN	PEER REVIEW	OCE	MACDONALD	YES	<u>NO</u>	YES	<u>NO</u>
DATE	<i>3-30-06</i>	see below					ATTACHED	

**PEER REVIEW:**

INITIAL S				<i>JP</i>		<i>CF</i>
NAME	ORLEAN	HEDEEN	MEYER	PALUMBO	BLOCKER	FISHER
DATE				<i>4/3/06</i>		<i>4/3/06</i>

File Code:  
 WA 2302  
 4/ /06  
 8a



bcc: J. MacDonald, ORC-158  
 R. Fuentes, OEA-095  
 K. Flint, ECL-111

**CONCURRENCES:**

INITIALS S		see below			POLICY FILE		RCRIS INFO SUBMITTED	
NAME S	BROWN	PEER REVIEW	OCE	MACDONALD	YES	NO	YES	NO
DATE S		see below					ATTACHED	

**PEER REVIEW:**

INITIAL S						
NAME S	ORLEAN	HEDEEN	MEYER	PALUMBO	BLOCKER	FISHER
DATE S						

File Code:  
 WA 2302  
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